REMARKS/ARGUMENTS

Claims 1-19 are pending and have not been amended. The pending claims are listed above for the Examiner's convenience.

Replacement drawings are attached to respond to "Notice of Draftsperson's Patent Drawing Review." No new matter has been added.

Claim Rejections – 35 U.S.C. § 112

The Examiner rejected claims 1-4 under 35 U.S.C. § 112 because claim 1 was interpreted to be a single means claim. The Applicant respectfully disagrees with this interpretation.

Claim 1 states:

> 1. A node supporting message transport and segmentation in a communications network having a plurality of nodes, comprising:
> a memory including a database for storing a plurality of segmentation support capability test results, wherein the memory further includes a program module adapted to send a first segmented message, a first segmentation support test message, and a first segmentation support response message, and to receive a second segmented message, a second segmentation support test message, and a second segmentation support response message.

Solely for purposes of this discussion, claim 1 has been reformatted below:

> 1.' A node supporting message transport and segmentation in a communications network having a plurality of nodes, comprising:
>
> a memory including
>
> a database for storing a plurality of segmentation support capability test results,
>
> wherein the memory further includes
>
> a program module adapted to send
>
> a first segmented message,
> a first segmentation support test message, and

a first segmentation support response message,

and to receive
a second segmented message,
a second segmentation support test message, and
a second segmentation support response message.

As reformatted, it now becomes obvious that the term "memory" used in claim 1 is not part of a means element. The term "memory" is used as a structural element of the term "node." The Examiner may have interpreted a sub-element: "*a database for storing* a plurality of segmentation support capability test results," to be a means claim. However, the memory also comprises at least one other sub-element. Specifically, the memory contains a program module adapted to send and receive the messages as further specified in the claim. Thus, the database is only one of at least two means elements. Consequently, the database is not a single means claim. The Applicant, therefore, respectfully requests that the Examiner withdraw the § 112 rejection of claims 1-4. If the Applicant has misinterpreted the Examiner's concerns regarding this rejection, the Examiner is requested to call the Applicant's attorney at the number below so that this issue can be resolved in an expedited manner.

Claim Rejections – 35 U.S.C. § 102

Claims 1 and 2:

The Examiner rejected claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Chung, et al. (US 5,042,064). The Applicant respectfully disagrees.

The Applicant notes that the messages disclosed in Chung are not "segmented messages." The term "segmented messages" is partially defined in the Applicant's specification on page 11, lines 10-13, as follows:

> In this case, a "segmented message" may be defined as some part of an integral message whose total length is longer than that permitted for transport as a whole by the protocol operating within the network 10.

Thus, segmented messages are messages which must span two or more messages in order to transmit all the required data. There is no reason to assume that

Chung even contemplates segmented messages. Claim 1, on the other hand, contains elements which specifically deal with segmented messages. Claim 1 states:

> 1. A node *supporting message transport and segmentation* in a communications network having a plurality of nodes, comprising:
>
> a memory including
>
> a database for storing a plurality of *segmentation support capability test results*,
>
> wherein the memory further includes
>
> a program module adapted to send
>
> a first *segmented message*,
> a *first segmentation support test message*, and
> a *first segmentation support response message*,
>
> and to receive
> a *second segmented message*,
> a *second segmentation support test message*, and
> a *second segmentation support response message*.

There is simply no disclosure in Chung to suggest the use of segmented messages.

Additionally, Chung also does not disclose sending or receiving test messages as specified in claim 1. Specifically, Chung does not disclose:

> a program module adapted to send
>
> a first segmented message,
> a first segmentation *support test message*, and
> a first segmentation *support response message*,
>
> and to receive
> a second segmented message,
> a second segmentation *support test message*, and
> a second segmentation *support response message*.

Finally, the Applicant notes that Chung's database is not a means for "storing a plurality of *segmentation support capability test results*." Chung does not "pre-test"

other nodes and Chung does not store the results of any tests in the database. Chung uses a database, but not for similar purposes. The following is an excerpt from Chung describing the various fields of one of the databases:

> An example of such a treatment table is shown in FIG. 3. Specifically, the HICAP call treatment table comprises a number of records each having a number of fields. The first field of a record, DIALED NUMBER, contains a respective HICAP telephone number. The second field, SERVICE, identifies the HICAP service, that is associated with the telephone number stored in the first field of the record. It is seen from the FIG. that a value of, for example, 1, 2 or 3 has been stored in the service field of respective ones of the records to identify the respective HICAP service. It is assumed herein that the values of 1, 2 and 3 represent INFO HICAP, Inbound HICAP, and BBBB HICAP, respectively, where BBBB represents another type of HICAP service.
>
> The third field of a record, ON/OFF, indicates whether the HICAP service identified in field 2 is active or inactive for the associated telephone number stored in field 1. The letter "a" shown in the FIG. represents one of a number of different values, such as, for example, a binary value, in which a binary one represents "active" or on, and in which binary zero represents "inactive" or off.

Chung, col. 6., lines 48-62.

Chung, therefore, does not mention or suggest a "database for storing a plurality of segmentation support capability test results" which is an element of claim 1. For all the above reasons, Chung fails to teach or even suggest the claimed invention. Therefore, withdrawal of the rejection under § 102, and the allowance of claim 1, is respectfully requested.

Claim 2 depends from claim 1 and recite further limitations in combination with the novel elements of claim 1. Therefore, the allowance of claim 2 is also respectfully requested.

Claims 5-6, 9, 11-12, 14, 16-17, and 19:

The Examiner rejected claims 5-6, 9, 11-12, 14, 16-17, and 19 under 35 U.S.C. § 102(e) as being anticipated by Velamuri, et al. (US 6,286,011). The Applicant respectfully disagrees.

The Applicant notes that the messages disclosed in Velamuri are not segmented messages. There is no reason to assume that Velamuri even contemplates segmented messages. Claim 5, on the other hand, contains elements which specifically deal with segmented messages. Claim 5 states:

> 5. A system supporting message transport and segmentation in a communications network having a plurality of nodes, comprising:
>
> a first node having a memory including a *database for storing a plurality of segmentation support capability test results*, wherein the first node is adapted to send a *segmented message* and *a segmentation support test message*, and to receive *a segmentation support response message*; and
>
> a second node in electronic communication with the first node, wherein the second node is adapted to receive *the segmented message* and *the segmentation support test message*, and to send the *segmentation support response message*.

There is simply no disclosure in Velamuri to suggest the use of segmented messages.

Additionally, Velamuri also does not disclose sending or receiving test messages as specified in claim 1. Specifically, Velamuri does not disclose the underline portions of the claim below:

> a first node having a memory including a database for storing a plurality of segmentation support capability test results, *wherein the first node is adapted to send* a segmented message and *a segmentation support test message, and to receive a segmentation support response message*; and
>
> a second node in electronic communication with the first node, *wherein the second node is adapted to receive* the segmented message *and the segmentation support test message, and to send the segmentation support response message.*

Finally, the Applicant notes that Velamuri's database is not a means for "storing a plurality of *segmentation support capability test results*." Velamuri does not "pre-test" other nodes and Velamuri does not store the results of any tests in the database. Velamuri uses a database, but not for similar purposes. The following is an excerpt from Velamuri describing the various fields of one of the databases:

> An exemplary transaction entry 300 is shown in FIG. 3. Preferably, the transaction entry includes a transaction descriptor field 302, a time stamp field 304, a chronological list pointer field 306 and an indexed list pointer field 308. The transaction descriptor field 302 includes a transaction descriptor which identifies the transaction associated with the message. The transaction descriptor field 302 also includes other information associated with the transaction. In the LNP embodiment, the transaction descriptor may include the TCAP transaction ID, the TCAP message type, the calling party point code from the SCCP header and the TCAP message length. The time stamp field 304 contains a time stamp which indicates the time the message was sent. The chronological list pointer field 306 contains a chronological list pointer to the next entry in the chronological list. The indexed list pointer field 308 contains an indexed list pointer to the next entry with the same index in the indexed list.

Velamuri, col. 10., lines 23-40.

Velamuri, therefore, does not mention or suggest a "database for storing a plurality of segmentation support capability test results." For all the above reasons, Velamuri fails to teach or even suggest the claimed invention. Therefore, withdrawal of the rejection under § 102, and the allowance of claim 5, is respectfully requested.

Claims 4-8 depend from claim 5 and recite further limitations in combination with the novel elements of claim 5. Therefore, the allowance of claims 4-8 is also respectfully requested.

Regarding independent claim 9, the same arguments apply. Claim 9 recites:

> 9. A method supporting message transport and segmentation in a communications network having a plurality of nodes, comprising the steps of:
>
> *sending a first segmentation support test* message from a first node to a second node, the first and second nodes selected from the plurality of nodes, the first node comprising a memory including *a database for storing a plurality of segmentation support capability test results*;
>
> *sending a first segmentation support response message* from the second node to the first node in response to receiving the first segmentation support test message;
>
> *generating a first segmentation support capability test result* indicating that the second node is capable of receiving segmented messages; and
>
> *sending a segmented message* from the first node to the second node.

Once again, none of the key (underlined) elements of claim 9 are disclosed in Velamuri. For all the above reasons, Velamuri fails to teach or even suggest the claimed invention. Therefore, withdrawal of the rejection under § 102, and the allowance of claim 9, is respectfully requested.

Claims 6, 11-12, 14, 16-17, and 19 depend from claims 5 and 9, and recite further limitations in combination with the novel elements of these claims. Therefore, the allowance of claims 6, 11-12, 14, 16-17, and 19 is respectfully requested.

Claim Rejections – 35 U.S.C. § 103(a)

Claim 3:

The Examiner rejected claim 3 under 35 U.S.C. § 103 (a) as being unpatentable over Chung (US 5,042,064) and further in view of Longfield (US 5,898,667). The Applicant respectfully traverses this rejection for the following reasons:

The Applicant notes that claim 3 is based on claim 1. Claim 1 recites:

> 1. A node supporting message transport and segmentation in a communications network having a plurality of nodes, comprising:
>
> a memory including *a database for storing a plurality of segmentation support capability test results*, wherein the memory further includes a program module adapted *to send a first segmented message*, a *first segmentation support test message*, and *a first segmentation support response message*, and *to receive a second segmented message*, a *second segmentation support test message*, and *a second segmentation support response message*.

As discussed previously, there is simply no disclosure in Chung to suggest the use of segmented messages. Similarly, although Longfield discusses Transaction Capabilities Applications Protocol (TCAP), nothing in Longfield teaches or suggests the use of segmented messages.

In order to establish a *prima facie* case of obviousness, the cited references must collectively disclose *all* of the elements of the rejected claims. As shown above, neither Chung nor Longfield deals with segmented messages. Thus, allowance of claim 3 is respectfully requested.

Claim 3:

The Examiner rejected claim 4 under 35 U.S.C. § 103 (a) as being unpatentable over Chung (US 5,042,064) and further in view of Velamari (US 6,286,011). The Applicant respectfully traverses this rejection for the following reasons:

The Applicant notes that claim 4 is based on claim 1. Claim 1 recites:

> 1. A node supporting message transport and segmentation in a communications network having a plurality of nodes, comprising:
> a memory including *a database for storing a plurality of segmentation support capability test results*, wherein the memory further includes a program module adapted *to send a first segmented message*, a *first segmentation support test message*, and *a first segmentation support response message*, and *to receive a second segmented message*, a *second segmentation support test message*, and *a second segmentation support response message*.

As discussed previously, there is simply no disclosure in Chung nor Velamuri to suggest the use of segmented messages. In order to establish a *prima facie* case of obviousness, the cited references must collectively disclose *all* of the elements of the rejected claims. As shown above, neither Chung nor Velamuri deals with segmented messages. Thus, allowance of claim 4 is respectfully requested.

Claims 7-8, 10, 13, 15, and 18

The Examiner rejected claims 7-8, 10, 13, 15, and 18 under 35 U.S.C. § 103 (a) as being unpatentable over Velamuri (6,286,011) and further in view of Longfield (US 5,898,667). The Applicant respectfully traverses this rejection for the following reasons:

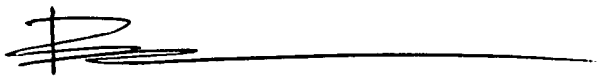
As discussed above, in order to establish a *prima facie* case of obviousness, the cited references must collectively disclose all of the elements of the rejected claims. Claims 7-8 ultimately depend from base claim 5 and claims 10, 13, 15, and 18 utlimately depend from base claim 9. As shown above, Velamuri does not disclose all of the elements of claims 6 or 9. Furthermore, Longfield does not make up for the shortcomings of Velamuri because it also does not show the missing elements of the base claims 6 or 9. Therefore, the allowance of dependent claims 7-8, 10, 13, 15, and 18 is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview with the Examiner if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



Bill R. Naifeh
Registration No. 44,962

Ericsson Inc.
6300 Legacy Drive, M/S EVW 2-C-2
Plano, Texas 75024

(972) 583-2012
bill.xb.naifeh@ericsson.com